

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SURGICAL INSTRUMENT SERVICE
COMPANY, INC., et al.,

Plaintiffs,

v.

INTUITIVE SURGICAL, INC.,

Defendant.

Case No. 21-cv-03496-AMO

SCHEDULING ORDER

The Court is in receipt of correspondence from the parties regarding a plan for dealing with deposition testimony and exhibits that Plaintiff may offer next Monday or Tuesday.

Deposition designations. In light of the parties' agreement, the Court ORDERS Plaintiff to send to Defendant, by 9:00 a.m. tomorrow (Saturday, January 11, 2025), updated clip reports and videos for no more than three depositions (for which the parties have previously exchanged proposed final designations) that Plaintiff intends to play on Monday, January 13, and/or Tuesday, January 14, 2025. Defendant shall revert its responses, including counter-designations and/or objections, by 4:00 p.m. on Saturday, January 11, 2025. Plaintiff shall then submit the final deposition designation objection charts and clip reports via email to amopo@cand.uscourts.gov by 9:00 a.m. on Sunday, January 12, 2025. (Counsel should note that this email address is distinct from the email address to which they typically send overnight correspondence.)

Projected exhibit lists. Defendant requests an instruction for Plaintiff to send to Defendant substantially narrowed lists of exhibits that Plaintiff intends to use with witnesses Dr. Lamb and Mr. Humphrey by 9:00 a.m. on Saturday, January 11, 2025. Plaintiff asks for more time in response and requests a deadline of 5:00 p.m. on the same day. The Court ORDERS Plaintiff to send to Defendant substantially narrowed lists of exhibits to be used with those

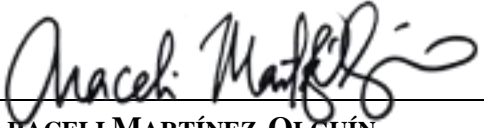
witnesses by 11:59 a.m. on Saturday, January 11, 2025. The Court here defines “substantially narrowed” to mean reduction by at least half. Defendant shall then submit its objections to the lists of exhibits via email to amopo@cand.uscourts.gov by 9:00 a.m. on Sunday, January 12, 2025.

In light of the difficulties in preparing, exchanging, and objecting to such overbroad exhibit lists, the Court asks counsel to come prepared to discuss an alternative procedure on Monday morning.

Further settlement conference. Separate from the above issues of scheduling, the Court desires for the parties and counsel to continue their formal settlement discussions. Therefore, the Court hereby ORDERS the parties to meet with Magistrate Judge Alex G. Tse on Friday, January 17, 2025, at a time and forum to be set by Judge Tse.

IT IS SO ORDERED.

Dated: January 10, 2025


ARACELI MARTÍNEZ-OLGUÍN
United States District Judge